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IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH.

Civil Writ Petition No.18236 of 2006
Date of Decision : Nov. 21, 2006

Sukhvir Singh and another.

... Petitioners

Versus

State of Punjab and another.

.. Respondents

CORAM : Hon`ble Mr. Justice Jasbir Singh,
Hon`ble Mr. Justice Pritam Pal.

Present : Shri Arun Bansal, Advocate,
for the petitioner.

JASBIR SINGH, J. (Oral)

Vide order, Annexure P/5, dated 5.10.2006, petitioners, who are Sarpanch and Panch of Gram Panchayat, Raghowal, Block Dasuya, respectively, were put under suspension. Vide order, Annexure P/6, dated 18.10.2006, in pending appeal, their application for interim stay was declined, primarily on the ground that they have been arrayed as accused in a criminal case. By referring to the contents of document, Annexure P/7, counsel for the petitioners states that before this Court, the prosecuting agency had made a statement that during investigation, the petitioners were found to be innocent. This fact has totally been ignored by the appellate

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authority when order, Annexure P/6, was passed. Appeal is now fixed for 29.11.2006.

Keeping in view the facts and circumstances of this case, this writ petition is disposed of with a direction that the suspension of the petitioners shall remain stayed till the disposal of their appeal. The appellate authority is directed to decide the appeal, referred to above, as per law, expeditiously.

[JASBIR SINGH]
JUDGE

[PRITAM PAL]
JUDGE

Nov. 21, 2006
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